

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ANTHONY DELANO HYLTON, JR.,

Case No.: 2:19-cv-01310-JAD-DJA

Petitioner

Order Dismissing Case

V.

[ECF No. 3]

UNITED STATES MARSHALS,

Respondents

Anthony Delano Hylton, Jr. has filed what he styled a habeas corpus petition under 28 U.S.C. § 2241.¹ However, his challenge relates to his conviction after a jury trial in federal case no. 2:17-cr-00086-HDM-NJK. In order to challenge a federal criminal conviction, Hylton must file a § 2255 motion to vacate, set aside or correct that sentence. A § 2255 motion must be filed in the underlying federal criminal case itself. Hylton apparently recognizes this, and he has also moved the court in this case for a stay of his criminal matter.² Because this court lacks jurisdiction to enter a stay in another case, I deny Hylton's motion to stay. In any event, this action is dismissed for failure to state a claim for which relief may be granted.

IT IS THEREFORE ORDERED that Hylton's Motion to Stay [ECF No. 3] is **DENIED**.

IT IS FURTHER ORDERED that THIS ACTION IS DISMISSED without prejudice to

¹ ECF No. 1.

² ECF No. 3.

1 Hylton's ability to seek appropriate relief in his criminal case. The Clerk of Court is directed to
2 CLOSE THIS CASE.

3 Dated: August 15, 2019

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5 U.S. District Judge Jennifer A. Dorsey
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